

### **REMARKS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-3, 6-20 are presently active in this case. The present Amendment amends Claims 1-3, 6, 8-19, cancels Claims 4 and 5, and adds Claim 20.

The outstanding Office Action rejected Claims 1-5, 8-10 and 13-19 under 35 U.S.C. 102(e) as being anticipated by Fujii et al. (U.S. Patent Application Pub. 2003/0014264, herein referred as "Fujii"). Claims 6, 7, 11 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii.

In order to clarify Applicants' invention, Claims 1-3, 6 and 8-19 are amended. Amended Claims 1-3, 6, 8-19 find support as originally filed. Independent Claim 1 is amended to recite a control processor, a coprocessor, divided procedures of an audio process and audio data. Independent Claim 15 is amended to recite a control processor, a coprocessor and a next procedure of an audio process. Independent Claim 17 is amended to recite a program stored in an external memory, divided procedures of an audio process, a control processor and a coprocessor. Independent Claim 19 is amended to recite a plurality of procedures of an audio process, a control processor and a coprocessor. The changes to Claims 1, 15, 17 and 19 find non-limiting support at page 6, lines 7-24 with corresponding Fig. 1, and at page 11 lines 7-19. The changes to the dependent claims are made to be consistent with the independent claims. Therefore, the changes to the claims are not believed to raise a question of new matter.<sup>1</sup>

In response to the rejection of Claims 1-5, 8-10, and 13-19 under 35 U.S.C. § 102(e), Applicants respectfully request reconsideration of this rejection and traverse the rejection as discussed next.

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<sup>1</sup> See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Briefly-recapitulating, Applicants' invention, as recited in Claim 1, relates to an audio processor, including a control processor to fetch in, when executing one of divided procedures of the audio process, a program and an audio data corresponding to the next procedure of an audio process procedures from an external memory device.

Turning now to the applied prior art, Fujii discloses a media processing apparatus that decodes a data stream including *compressed audio data and compressed video data*. A header analysis process is performed on the compressed video data and an audio decode process on the compressed audio data. A sequential processing unit performs a header analysis process on a predetermined block included in the compressed video data in the data stream. A routine processing unit performs a decode process on the compressed video data aside from the header analysis process. In other words, a header process more than a macroblock layer suitable for a software process is executed by a CPU. The remaining processes are executed by a dedicated hardware.

Additionally, since the decode processing for compressed audio data requires comparatively less processing than the decode processing for compressed video data, the sequential processing unit 1003 performs the audio decode processing in the period between the header analysis processing for one macroblock and the header analysis processing for the following macroblock.<sup>2</sup> As described above, Fujii discloses a media processing apparatus for *video-audio processing*.

In contrast, Applicants' claims are directed to only an audio processor for audio processing. In other words, a control processor fetches in, when executing one of plural processes, a program and audio data corresponding to next one of the procedures of an audio process from an external memory device. A coprocessor subserves the control processor to

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<sup>2</sup> See Fujii at page 5, paragraph [0097].

subject audio data of an input data stream to an audio process based on a program fetched by the control processor.<sup>3</sup>

The outstanding Office Action infers that Fujii discloses a data processor sequentially subjecting an audio data stream to decoding at page 6, paragraph [0106].<sup>4</sup> However, the Fujii patent describes a routine processing unit 1004 to perform VLD processing on a macroblock header as well as on the data content of the macroblock. Fujii further states that “the sequential processing part of the video decoding analyzes the header part of a macroblock being processed, and so is hereinafter referred to as ‘header analysis.’ The decode processing decodes the compressed video data in a macroblock, and so is hereinafter referred to as ‘block decoding.’”<sup>5</sup> Therefore, the routine processing unit intends to process not audio data, but video data. This is in direct contradiction to Applicants’ claims so that Claims 1-3 and 6-19 are patentably distinct over Fujii.

Furthermore, Applicants’ invention can be used to provide a small capacity audio processor to process only audio data, as opposed to a large capacity video-audio processor for processing video data as well as audio data. New dependent Claim 20 recites such a feature so that Claim 20 is further believed to be patentably distinct over Fujii.

In response to the rejection of Claims 6, 7, 11, and 12 under 35 U.S.C. 103(a) as being unpatentable over Fujii, Claims 6, 7, 11, and 12 being dependent directly or indirectly upon amended Claim 1, these claims are patentably distinct over Fujii for the same reasons as discussed above with respect to the patentability of Claim 1.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-3, 6-20 is earnestly solicited.

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<sup>3</sup> See Applicants’ specification at page 18, lines 11-20 and page 25, line 25 to page 26, line 8.

<sup>4</sup> See outstanding Office Action at page 3, lines 7-9.

<sup>5</sup> See Fujii at page 1, paragraph [0007].

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

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